

MELINDA BIRD (SBN 102236)
MARILYN HOLLE (SBN 61530)
DISABILITY RIGHTS CALIFORNIA
350 South Bixel Street, Suite 290
Los Angeles, CA 90017
Telephone: (213) 213-8000
Facsimile: (213) 213-8001
melinda.bird@disabilityrightsca.org
marilyn.holle@disabilityrightsca.org

Attorneys for Named Plaintiffs and the Class
Additional Attorneys for Named Plaintiffs and the
Class on Signature Page

STEPHEN P. BERZON (SBN 46540)
EVE H. CERVANTEZ (SBN 164709)
STACEY M. LEYTON (SBN 203827)
PEDER J. THOREEN (SBN 217081)
RACHEL J. ZWILLINGER (SBN 268684)
Altshuler Berzon LLP
177 Post Street, Suite 300
San Francisco, California 94108
Telephone: (415) 421-7151
Facsimile: (415) 362-8064
sberzon@altshulerberzon.com
ecervantez@altshulerberzon.com
sleyton@altshulerberzon.com
pthoreen@altshulerberzon.com
rzwillinger@altshulerberzon.com

Attorneys for Plaintiffs SEIU-UHW, SEIU-ULTCW, SEIU
Local 521, SEIU California State Council, UDW, and CUHW

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

DAVID OSTER, *et al.*,

Plaintiffs,

v.

WILL LIGHTBOURNE, Director of the California
Department of Social Services; TOBY DOUGLAS,
Director of the California Department of Health Care
Services; CALIFORNIA DEPARTMENT OF HEALTH
CARE SERVICES; and CALIFORNIA DEPARTMENT
OF SOCIAL SERVICES,

Defendants.

Case No. CV 09-04668 CW

**JOINT STATUS REPORT,
STIPULATION, AND
~~PROPOSED~~ ORDER SETTING
BRIEFING AND HEARING
SCHEDULE FOR PRELIMINARY
APPROVAL OF CLASS ACTION
SETTLEMENT**

Pursuant to this Court's Order of March 20, 2013, the parties, by and through their counsel, hereby submit the following joint status report and stipulation setting a proposed briefing and hearing schedule for Plaintiffs' anticipated motion for preliminary approval of class action settlement, and request that the Court so order.

JOINT STATUS REPORT

On March 13, 2013, the parties reached agreement on a term sheet outlining a proposed settlement of the above-captioned class action lawsuit. That term sheet requires that the parties memorialize the terms of the settlement in a written settlement agreement. The parties have been engaged in continuous negotiations for the past 10 days regarding the settlement agreement. They reached final agreement on the settlement agreement this morning and are obtaining final signatures approving the terms. Plaintiffs intend to file a motion for preliminary approval of the class settlement tomorrow, on March 28, 2013.

The settlement is dependent on specified budget solutions, some of which must be implemented no later than July 1, 2013, with approximately 30 days lead time necessary to implement the budget solutions. Accordingly, time is of the essence. The parties therefore respectfully request that the Court order an expedited briefing and hearing schedule on Plaintiffs' Motion for Preliminary Approval, so that notice of the pending settlement may issue forthwith and the Court has time to consider and rule upon final approval by mid-May.

STIPULATED BRIEFING AND HEARING SCHEDULE

IT IS HEREBY STIPULATED between the parties through their respective counsel that, subject to Court approval:

1. Plaintiffs will file their motion for Preliminary Approval of Class Action Settlement no later than March 28, 2013.
2. The hearing on Plaintiffs' Motion for Preliminary Approval of Class Action Settlement shall take place on Thursday, April 4, at 2:00 p.m.

Dated: March 27, 2013

Respectfully Submitted,

/s/ Melinda Bird

MELINDA BIRD (SBN 102236)

MARILYN HOLLE (SBN 61530)
DISABILITY RIGHTS CALIFORNIA
LOS ANGELES REGIONAL OFFICE
350 South Bixel Street, Suite 290
Los Angeles, CA 90017
Telephone: (213) 213-8000
Facsimile: (213) 213-8001
melinda.bird@disabilityrightsca.org
marilyn.holle@disabilityrightsca.org

SUJATHA JAGADEESH BRANCH (SBN
166259)
DISABILITY RIGHTS CALIFORNIA
SACRAMENTO REGIONAL OFFICE
1831 K Street
Sacramento, CA 95811
Telephone: (916) 504-5800
Facsimile: (916) 504-5801
sujatha.branch@disabilityrightsca.org

DARA L. SCHUR (SBN 98638)
DISABILITY RIGHTS CALIFORNIA
BAY AREA REGIONAL OFFICE
1330 Broadway, Suite 500
Oakland, CA 94612
Telephone: (510) 267-1200
Facsimile: (510) 267-1201
dara.schur@disabilityrightsca.org

PAULA PEARLMAN (SBN 109038)
SHAWNA PARKS (SBN 208301)
DISABILITY RIGHTS LEGAL CENTER
919 Albany Street
Los Angeles, CA 90015
Telephone: (213) 736-1031
Facsimile: (213) 736-1428
paula.pearlman@lls.edu
shawna.parks@lls.edu

CHARLES WOLFINGER (SBN 63467)
LAW OFFICE OF CHARLES WOFLINGER
4655 Cass Street # 314
San Diego, CA 92109
Telephone: (858) 272-8115
Facsimile: (858) 270-3960
Cw@charleswolfinger.com

JANE PERKINS (SBN 104784)
NATIONAL HEALTH LAW PROGRAM
211 N. Columbia Street
Chapel Hill, NC 27514
Telephone: (919) 968-6308
Facsimile: (919) 968-8855
perkins@healthlaw.org

ABIGAIL K. COURSOLLE (SBN 266646)
NATIONAL HEALTH LAW PROGRAM
3701 Wilshire Blvd., Ste. 750
Los Angeles, CA 90010
Telephone: (310) 736-1652
Facsimile: (213) 368-0774
coursolle@healthlaw.org

ANNA RICH (SBN 230195)
NATIONAL SENIOR CITIZEN LAW
CENTER
1330 Broadway, Suite 525
Oakland, CA 94612
Telephone: (510) 663-1055
Facsimile: (510) 663-1051
arich@nsccl.org

*Attorneys for Individual Named Plaintiffs
David Oster, Willie Beatrice Sheppard, C.R.,
Dottie Jones, Andrea Hylton, Helen Polly
Stern, Charles Thurman, L.C., and the Plaintiff
Class*

/s/ Eve Cervantez
STEPHEN P. BERZON (SBN 46540)
EVE H. CERVANTEZ (SBN 164709)
STACEY M. LEYTON (SBN 203827)
PEDER J. THOREEN (SBN 217081)
RACHEL J. ZWILLINGER (SBN 268684)
Altshuler Berzon LLP
177 Post Street, Suite 300
San Francisco, California 94108
Telephone: (415) 421-7151
Facsimile: (415) 362-8064
sberzon@altshulerberzon.com
ecervantez@altshulerberzon.com
sleyton@altshulerberzon.com
pthoreen@altshulerberzon.com
rzwillinger@altshulerberzon.com

*Attorneys for Plaintiffs SEIU-UHW, SEIU-
ULTCW, SEIU Local 521, SEIU California
State Council, UDW, and CUHW*

Dated: March 27, 2013

Respectfully Submitted,

/s/ Susan M. Carson
KAMALA HARRIS
Attorney General of California
SUSAN M. CARSON
Supervising Deputy Attorney General
GREGORY D. BROWN (SBN 219209)
NIMROD ELIAS (SBN 251634)

Deputy Attorneys General
California Dept. of Justice
455 Golden Gate Ave Ste 11000
San Francisco, CA 94102
Susan.Carson@doj.ca.gov

Attorneys for Defendants

GENERAL ORDER 45 ATTESTATION


I, Melinda Bird, am the ECF user whose ID and password are being used to file this stipulation. In compliance with General Order 45, X.B, I hereby attest under the penalty of perjury that concurrence regarding filing this document has been obtained from each of its signatories.

Dated: March 27, 2013

/s/ Melinda Bird
Melinda Bird

GOOD CAUSE APPEARING, PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/28/2013


Hon. Claudia Wilken
United States District Judge